

DONALDJ.QUERIO(StateBarNo.54367)
djq@severson.com
MARKD.LONERGAN(StateBarNo.143622)
mdl@severson.com
PETERH.BALES(StateBarNo.251345)
phb@severson.com
SEVERSON&WERSON
AProfessionalCorporation
OneEmbarcaderoCenter,Suite2600
SanFrancisco,CA94111
Telephone:(415)398-3344
Facsimile:(415)956-0439

AttorneysforDefendants
WELLSFARGOFINANCIAL
MISSOURI,INC.,etal.

UNITEDSTATESDISTRICTCOURT
NORTHERNDISTRICTOFCALIFORNIA

RICHARDHOWARD,

Plaintiff,

vs.

WELLSFARGOFINANCIALMISSOURI,
INC., WELLSFARGOFINANCIAL
ACCEPTANCE, WELLSFARGO AUTO
FINANCE, INC., WELLSFARGO
FINANCIALCAR, LLC, and DOES 1-50,

Defendants.

CaseNo.:CO7-05881EDL

**DECLARATIONOFMARKD.
LONERGANINSUPPORTOFWELL
FARGO'SOPPOSITIONTO
PLAINTIFF'SMOTIONTOCOMPEL
FURTHERRESPONSESTO
DISCOVERY**

HearingDate:July22,2008

Time:9:00a.m.

Dept.:E

Judge:Hon.ElizabethD.Laporte

ComplaintDate:November20,2007

I, MarkD. Lonergan, declare as follows:

1. I am an attorney licensed to practice by the State of California and a member of the law firm of Severson & Werson, counsel of record for the Wells Fargo defendants in this case. I have personal knowledge of the following facts, and if called upon as a witness, I would testify truthfully with respect to the matters stated below.

2. On May 14, 2008, I participated in a telephonic conference call with my associate Peter Bales and plaintiff's counsel Ron Bochner. We (Wells Fargo) requested the call in order to

1 “meetandconfer”withplaintiffabouthisdiscover yrequestsandWellsFargo’s
2 objections/responsestothoserequests.Afterappr oximatelythirtyminutes,Icametothe
3 conclusionthatthecallwasnotgoingtobeproduc tive,intermsofresolvinganydiscovery
4 disputes.Iexplainedthistoplaintiff’scounsel, andIendedthecall.Followingthatcall,I sent
5 plaintiff’scounselalettersummarizingourmeeta ndconferefforts,includingwhatwasdiscussed
6 duringtheconferencecall.Atrueandcorrectcop yofmyMay14,2008letterisattachedas
7 ExhibitI.Thatletteraccuratelysetsforthwhat happenedbeforeandduringour“meetand
8 confer”conferencecall.

9 Ideclareunderpenaltyofperjurythattheforegoi ngistrueandcorrect.Executedwithin
10 theUnitedStatesonJune24,2008.

11 By: S/MarkD.Lonergan
12 MarkD.Lonergan
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28